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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	
	§	
Ervin Frank Layer	§	CASE NO. 17-32670-13
	§	
Debtor	§	CHAPTER 13

**MOTION FOR CONTINUATION OF AUTOMATIC STAY AFTER PRIOR DISMISSAL
WITHIN YEAR OF FILING**

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW Debtor, **Ervin Frank Layer**, pursuant to 11 U.S.C. §362(c)(3)(B), requesting an order continuing the automatic stay provided under 11 U.S.C. §362(a) as to all creditors. In support of this motion, Debtor states as follows:

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. §105(a), 28 U.S.C. §157(b)(1), and 28 U.S.C. §1334. This matter constitutes a core proceeding as defined by 28 U.S.C. §157(b)(2).
2. Debtor filed the current petition for relief under Chapter 13 on 07/07/2017.
3. Within the twelve months prior to said filing date, Debtor was in an active Chapter 13 case, number 13-30466. Said case dismissed on 4/18/17 for failure to make plan payments. Debtor changed employment and suffered temporary reduction of income.

4. Said case was not dismissed because the Debtor failed to (a) file or amend the petition or other documents as required, (b) provide adequate protection as ordered by the Court, or (c) perform the terms of a confirmed plan.
5. Debtor had no other cases pending within the twelve month period prior to 07/07/2017.
6. As of the date of dismissal of Debtor's prior case(s), the following §362(d) actions were either pending or resolved by terminating, conditioning, or limiting the stay.
 - (a) NONE
7. Debtor filed the pending case in good faith. A substantial change in the financial and personal affairs of the Debtor has occurred since the dismissal of the previous case. Debtor is employed.
8. Debtor will fully perform the terms of a confirmed plan in the pending case.
9. This motion is not made for the purposes of delay.

WHEREFORE, PREMISES CONSIDERED, Debtor **Ervin Frank Layer** respectfully requests the Court continue the stay under 11 U.S.C. §362(a) as to all creditors for the duration of this Chapter 13 proceeding, or until such time as the stay is terminated under §362(c)(1) or (c)(2), or a motion for relief from stay is granted under §362(d).

Dated: July 11, 2017

Respectfully Submitted,

ALLMAND LAW FIRM, P.L.L.C.

/s/ Nicholas C. Inman

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CERTIFICATE OF CONFERENCE

The undersigned Debtor's Counsel hereby certifies a pre-filing conference was not held, because it was not possible to confer with all scheduled creditors, given the time constraint imposed by 11 U.S.C. §362(c)(3)(B), requiring a hearing be completed before the expiration of the thirty-day period after filing of the petition. It is presumed this motion is opposed.

By: /s/Nicholas C. Inman
Nicholas C. Inman
ALLMAND LAW FIRM, P.L.L.C.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 11, 2017, a true and correct copy of the foregoing was served on all parties in interest below and on the attached mailing matrix.

DEBTOR

Ervin Frank Layer
9814 Faircrest Drive
Dallas, TX 75238

STANDING CHAPTER 13 TRUSTEE

Tom Powers
125 E. John Carpenter Fwy, Ste 1100
Irving , Tx 75062

U.S. TRUSTEE

Rm. 960
1100 Commerce Street
Dallas, TX 75242

By: /s/Nicholas C. Inman
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